

RECEIVED

MAR 21 2007

ROBERT H. SHEMWELL, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

RECEIVED

APR 10 2007

ROBERT H. SHEMWELL, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

FREDDIE J. McZEAL

CIVIL ACTION NO. 06-2351

VS.

SECTION P

TERRY TERRELL, WARDEN

JUDGE DOHERTY

MAGISTRATE JUDGE HILL

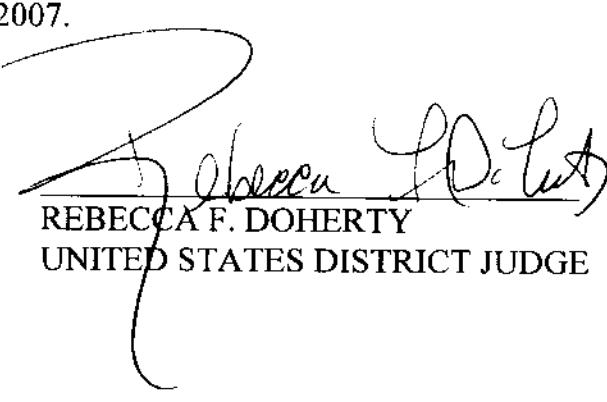
JUDGEMENT

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly;

IT IS ORDERED that the instant action is **DISMISSED WITHOUT PREJUDICE** because the instant petition constitutes a second and successive *habeas* petition within the meaning of 28 U.S.C. §2244(b) filed without prior authorization of the United States Fifth Circuit Court of Appeals.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this

10 day of April, 2007.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE